



U.S. Department  
Of Transportation

Research and  
Special Programs  
Administration

John A. Volpe  
National Transportation  
Systems Center

55 Broadway  
Kendall Square  
Cambridge Massachusetts 02142

November 3, 2003

Mr. Mel Burnett  
Millwork West  
1203 Minnesota Ave  
Libby, MT 59923

RE: **Asphalt Paving of Building No. 1**

2003 NOV - 6 PM 1:50  
EPA REGION 5  
SUPERFUND BRANCH

Dear Mr. Burnett,

As you are aware, the Government will soon install asphalt paving in approximately 50% of the larger lumber and building materials storage building, Building No. 1, being used by Millwork West. The Government and CDM have recommended reinforced concrete pavement be installed in Building No. 1. Although it would take longer to prepare the sub surface, form, place and cure the concrete, it would ultimately provide a durable surface capable of supporting the forklift operations during the high temperatures typically encountered in summer in Libby. During the summer months in Libby, there are consistent daytime temperatures of 100° F and higher. The surface of the asphalt pavement in the streets in the center of Libby was easily disturbed and gouged by automobile tires when turning and by the soles and heels of shoes.

We have discussed with you our concerns that the forklift wheels could gouge the asphalt pavement surface when maneuvering inside the building during routine summer operations, even though the majority of the pavement will be inside the building and not in direct sunlight. The Government acknowledges your desire to have any work in Building No.1 completed in as short a time as possible in order to minimize financial impacts on your business. In accordance with your request, the Government has directed CDM to prepare design plans and specifications for an asphalt pavement, subsurface preparation, and related work in Building No.1.

The plans and specifications have been prepared to provide a thick, dense asphalt pavement placed on a compacted aggregate sub base. However, the Government cannot guarantee that the forklift wheels will not gouge or loosen the asphalt pavement surface, especially in hot weather. During a site visit in June 2002, you stated that you would be willing to sign a statement agreeing not hold the Government responsible for damage to the asphalt pavement.

Please sign below acknowledging that the Government shall not be responsible for damage to the asphalt pavement and that Millwork West will be responsible for any maintenance of the asphalt pavement.

Regards,

Paul G. Kudarauskas  
Environmental Specialist  
USDOT/RSPA/Volpe Center

Acknowledged:

  
Mel Burnett, Millwork West

Date:

11-3-03

Cc: Jim Christiansen - EPA  
Peter J. Borowiec, Jr., P.E. - CDM  
File/Millwork West